



GOVERNMENT OFFICE
FOR THE SOUTH WEST

Mr A Jones
Minerals & Waste Policy
Somerset County Council
County Hall
Taunton
TA1 4DY

THOSS SHEARER
Deputy Regional Director
Regional Strategies, Housing and
Planning
1st Flr
2 Rivergate
Temple Quay
BRISTOL
BS1 6EH
GTN: 1361 1709
Tel: 0117 900 1709
Fax: 0117 900 1914
Email: thoss.shearer@gosw.gsi.gov.uk
Direct Dial:
Fax

Our reference: SW/THM/5830/06
Your reference:

20 September 2007

Dear Mr Jones

**DIRECTION UNDER PARAGRAPH 1(3) OF SCHEDULE 8 TO THE
PLANNING AND COMPULSORY PURCHASE ACT 2004
POLICIES CONTAINED IN SOMERSET MINERALS LOCAL PLAN 1997-
2011 ADOPTED APRIL 2004**

The Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 directs that for the purposes of the policies specified in the Schedule to this direction, paragraph 1(2)(a) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 does not apply.

Signed by authority of the
Secretary of State

Thoss Shearer
Deputy Regional Director
Regional Strategies, Housing and Planning
Government Office South West

RECEIVED

26 SEP 2007

BUS



GOVERNMENT OFFICE
FOR THE SOUTH WEST

20 September 2007

Mr A Jones
Minerals & Waste Policy
Somerset County Council
County Hall
Taunton
TA1 4DY

THOSS SHEARER

Deputy Regional Director
Regional Strategies, Housing and
Planning
1st Flr
2 Rivergate
Temple Quay
BRISTOL
BS1 6EH
GTN: 1361 1709
Tel: 0117 900 1709
Fax: 0117 900 1914
Email: thoss.shearer@gosw.gsi.gov.uk

Dear Mr Jones

I am writing with reference to your application of 27 February 2007 for a direction under paragraph 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004 in respect of policies in the Somerset Minerals Local Plan 1997-2011 Adopted April 2004.

The Secretary of State's Direction is attached. Those policies not listed in the Direction will expire on 27th September 2007.

The Secretary of State's assessment of whether saved policies should be extended is based upon the criteria set out in Planning Policy Statement 12 and the Department for Communities and Local Government Protocol on saving policies. The Secretary of State's decisions concern some policies where there have been representations from a third party expressing views that differ from those of your authority. Also, her decisions in respect of some policies have the effect of saving policies that your authority requested should not be extended. For clarity, where the Secretary of State's decisions differ from the views of your authority those reasons are set out in the table at the end of this letter.

The extension of saved policies listed in this Direction does not indicate that the Secretary of State would endorse these policies if presented to her as new policy. It is intended to ensure continuity in

the plan-led system and a stable planning framework locally, and in particular, a continual supply of land for development.

Local planning authorities should not suppose that a regulatory local plan style approach will be supported in forthcoming Development Plan Documents. LPAs should adopt a positive spatial strategy led approach to DPD preparation and not seek to reintroduce the numerous policies of many local plans.

The exercise of extending saved policies is not an opportunity to delay DPD preparation. LPAs should make good progress with local development frameworks according to the timetables in their local development schemes. Policies have been extended in the expectation that they will be replaced promptly and by fewer policies in DPDs. Maximum use should be made of national and regional policy especially given the advanced position of many regional spatial strategies and the development plan status of the Regional Spatial Strategy/Spatial Development Strategy.

Following 27 September 2007 the extended policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions. In particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 *Housing* and Strategic Housing Land Availability Assessments in relevant decisions.

Policy Ref	Reason	Extended	Not Extended
NONE			

Please note that if you any queries concerning the contents of this letter they should be directed to Mike Walton, Planning Manager, Somerset, 01752 635025 Mike.WALTON@gosw.gsi.gov.uk

Yours Sincerely



Thoss Shearer
Deputy Regional Director
Regional Strategies Housing and Planning



GOVERNMENT OFFICE
FOR THE SOUTH WEST

SCHEDULE

POLICIES CONTAINED IN SOMERSET MINERALS LOCAL PLAN

1997-2011

Policy No.	Name
M1	Proposals for mineral development within Areas of Outstanding Natural Beauty
M2	Proposals for mineral development outside AONBs
M5	Proposals for mineral development which are likely to result in significant harm to a County Wildlife Site
M6	Proposals for mineral development outside designated nature conservation areas
M8	Proposals for mineral development which will cause significant harm to nationally important archaeological remains
M9	Proposals for mineral development which will cause significant harm to regionally or locally important archaeological remains
M10	Where proposals for mineral development are within Areas of High Archaeological Potential
M12	Proposals for mineral development will only be permitted where they would not cause significant harm to the historic character
M13	Proposals for mineral development will only be permitted where they will not have a harmful effect on the quality or quantity of any ground or surface water resource
M14	Proposals for mineral development will only be permitted where
M15	Proposals for mineral development on land classified as best and most versatile agricultural land
M16	Proposals for mineral development which will have a significant harm on the rights of way network
M17	Proposals for mineral development will only be permitted if they are accompanied by satisfactory reclamation and afteruse proposals
M19	Proposals for mineral development will only be permitted where the applicant provides satisfactory information on the financial budget
M20	Proposals for both new mineral development and the determination of new conditions on review shall be accompanied by an assessment of the impact
M21	Proposals for mineral development involving the provision of outdoor lighting
M22	Proposals for mineral development that have significant transport implications
Policy No.	Name

M23	Proposals for mineral development will only be permitted where the access roads to the proposed site, including any parts of the public highway which serve such a site, are adequate
M24	Proposals for mineral development shall be accompanied, where necessary, by a background noise survey together with an assessment of the impact of the proposal on the existing noise climate
M25	When considering the conditions which should be attached to planning permissions the exceptionally quiet rural environment of many quarrying areas in Somerset will justify application of strict noise conditions in order to preserve amenity
M26	Proposals for mineral development will not be permitted unless blasting vibration can be kept within acceptable limits
M27	Proposals for mineral development will need to demonstrate that the operation of the site will not have a harmful effect on the stability of neighbouring land or properties
M28	Sites for the disposal of mineral wastes will only be permitted where
M29	The cumulative impact of a proposal on the community and the environment
M30	Planning obligations will be sought where they are necessary to safeguard the environment or local communities
M31	Mineral resources of economic importance will be safeguarded from sterilisation by
M32	Development proposals, outside AONBs, for the sorting, transfer, treatment or recycling of materials for the production of secondary aggregates
M33	Proposals for the development of facilities at existing active quarries to maximise the value of the stone produced at that quarry will be supported provided that
M34	For the period 1997 - 2011 Somerset will make provision for the supply of 225 million tonnes of crushed rock
M35	Proposals for the extraction of crushed rock aggregates will not be permitted unless
M36	Where there are extant permissions at dormant sites which nonetheless cannot comply with the policies of this Plan or are considered unlikely to resume working, the Mineral Planning Authority will seek to secure their relinquishment and reclamation
M37	Schemes of planning conditions will include production limits where this is considered necessary and appropriate to prevent any significant harm from the operation
M38	Proposals for the extraction of crushed rock from below the water table will only be permitted
M39	When determining reclamation proposals within the East Mendip Area
M40	Proposals for peat extraction should be within the Peat Production Zones or Areas of Search
M41	The Areas of Search, as shown on Inset Plan 3, will be monitored annually and amended if necessary

Policy No.	Name
M42	Proposals for the development of facilities for the processing or storage of peat or peat alternatives
M43	Proposals for the placement or deposition of inert material
M44	When considering proposals for the restoration, aftercare and afteruse of former peat workings
M45	Proposals for the extraction of peat
M46	Proposals for new building stone quarries or to extend existing quarries will be permitted
M47	Acceptable after use proposals will be prerequisite for the granting of planning permission for building stone quarries
M48	The MPA will agree production limits at building stone quarries with operators
M50	Land at Whiteball has been identified as a Preferred Area and an Area of Search for sand and gravel extraction
M51	Proposals for borrow pits will only be permitted

